

**BOARD OF SELECTMEN MEETING
MONDAY, MARCH 14, 2016
6:30PM AT TOWN OFFICE BUILDING
240 SPRINGFIELD STREET, WILBRAHAM, MA
MINUTES**

PRESENT: Chairman Robert J. Boilard (presiding); Selectmen Susan C. Bunnell and Robert W. Russell; Town Administrator Nick Breault and Candace Ouillette Gaumond, Administrative Assistant to the TA/BOS.

EXECUTIVE SESSION

To Discuss Strategy with Respect to Collective Bargaining and, or Litigation; Whereas, an Open Meeting May Have a Detrimental Effect on the Bargaining Position of the Town; and To Discuss Matters Relative to an Individual's Right To Privacy under M.G.L. Chapter 214, Section 1B

Chairman Boilard opened the meeting and made a motion to go into Executive Session.

MOTION: Made (Boilard) and seconded (Russell) to go into executive session to discuss strategy with respect to collective bargaining and, or litigation; whereas, an open meeting may have a detrimental effect on the bargaining position of the town; and upon conclusion return to general session. Approved by each Selectman voting affirmatively in a roll call vote; (Boilard, yes; Bunnell, yes, and Russell, yes.) Approved 3-0.

PLEDGE OF ALLEGIANCE

The Board of Selectmen returned from Executive Session at 7:10pm and resumed the General Session. Chairman Boilard announced, in accordance with Mass. General Law Chapter 30(A), section 20(e), that the Selectmen's meeting was being recorded by Wilbraham Public Access. He then asked if there was anyone present in the audience, who was also recording the meeting tonight. No one indicated that they were recording the meeting tonight. Chairman Boilard asked that the minutes reflect as such.

APPOINTMENTS WITH THE BOARD

Police Captain Benefits — Herta Dane, Human Resource Coordinator

Public Hearing to Amend an Entertainment License – Meat Ball Kitchen

Andres Gomez, representing Meat Ball Kitchen, joined the Selectmen for the discussion. He indicated that the application is to amend the current Entertainment License to include live music on the outdoor patio. Selectman Bunnell asked if there were tables on the outdoor patio. Mr. Gomez stated that there are tables located on the outdoor patio with up to a forty seat capacity. He mentioned that some of the seating would have to be removed to accommodate space for live music. Selectman Russell expressed concerned about granting the amended Entertainment License without considering the other restaurants with outdoor patios situated along Boston Road that are in close proximity to residential neighborhoods unlike Meat Ball Kitchen. Selectman Russell acknowledged that Meat Ball Kitchen is ideally located because it's removed from the vicinity of residential neighborhoods. Discussion ensued. Chairman Boilard asked for clarification that this application was to amend the current Entertainment License to include outdoor entertainment. Administrative Assistant Gaumond and Mr. Gomez confirmed this to be true. Mr. Gomez stated that the outdoor patio entertainment would only occur Thursdays to Saturdays, from 5:30pm or 6:00pm to 10pm. Chairman Boilard asked a question relative to specifying different times or days on the Entertainment License for the outdoor patio than what the restaurant already maintains for an Entertainment License. Administrative Assistant Gaumond informed the Selectmen that they may tailor the Entertainment License for the outdoor patio how they see fit by specifying the days and times in the motion and on the License. She indicated that the hours and days entertainment can be authorized for the outdoor patio can differ from what is licensed inside the premise. Selectman Russell requested the matter be tabled at this time. Mr. Gomez asked if the Town had any bylaws relative to entertainment and live music. Administrative Assistant Gaumond responded. Chairman Boilard wants more information about the licensing policies and Town bylaws relative to entertainment and noise to review prior to making a decision on this application. The Selectmen further conversed about this issue; and decided to table the matter until the next Selectmen's meeting.

Materials Referenced: Application to amend an Annual Entertainment License, received February 4, 2016, submitted by 2000 Boston Road Food Court, Inc. dba Meat Ball Kitchen; Wilbraham's Guidelines for Extensions of Premise for Patios and Outdoor Areas; Memo, dated February 26, 2016, from Police Sgt. Edward Lemon regarding measurements and location to residence from Meat Ball Kitchen and accompanying photographs and diagram.

Application for Annual Food Establishment Permit and Common Victualer License – CIMA Restaurant Corp.

Melinda Sullivan and Anthony DiMaio, owners of CIMA Restaurant Corp., were present for the meeting. Ms. Sullivan informed that she is filing applications for a Food Establishment Permit and Common Victualer License. She provided copies of Serve Safe, TIPS and other forms of certifications to include with her applications. Administrative Assistant Gaumond stated that CIMA Restaurant Corp. applied for a liquor license some time ago; however, CIMA Restaurant Corp. did not apply for a Food Establishment Permit or Common Victualer License at that time. Selectman Russell asked when Ms. Sullivan would like to open the restaurant to the public. Ms. Sullivan said that they would like to open the restaurant for business the first week of May so the facility would be open for Mother's Day. She stated that the closing on the property was anticipated to occur this week. Chairman Boilard asked if there were any questions. No questions were offered by the Selectmen. Ms. Sullivan asked if Horizon Restaurant had an Entertainment License.

Administrative Assistant Gaumond informed that Horizon Restaurant did not have an Entertainment License; however, CIMA Restaurant Corp. can apply for an Entertainment License. Ms. Sullivan asked about signage and requirements for signage permits. Administrative Assistant Gaumond advised Ms. Sullivan that she would have to check with the Building Department to ensure that the proper permits and permission is received for signage. It was mentioned that there are requirements for sign permits. Again, Chairman Boilard asked if there were any questions. No questions were asked.

MOTION: Made (Bunnell) and seconded (Russell) to grant an Annual Food Establishment Permit and Common Victualer License to CIMA Restaurant Corp. dba CIMA Italian Restaurant and Chop House to prepare and serve in a restaurant, located at 2200 Boston Road, from 11:30am to 10:00 pm on Sundays; and 8:00am to 2:00am, Monday through Saturday, pending the Health Inspector's approval. Approved 3-0.

Materials Referenced: Application for Annual Food Establishment Permit and Common Victualer License, received March 10, 2016, submitted by M. Sullivan, Owner of CIMA, and accompanying documents.

OPEN SESSION

Town Administrator's Report

Town Administrator Breault reported that the Regional Emergency Communications Center (RECC) group received a grant award in the amount of \$150,000 to assist with the cost for technical assistance towards the project. He also mentioned that the grant criteria call for a District Agreement to be submitted, and a RECC site location to be identified, by May 17, 2016.

Town Administrator Breault advised the Selectmen to contact Nathan DeLong, IT Director, to discuss the Selectmen's email accounts.

He also reminded the Board of Selectmen that there is a public hearing relative to the East Street Bridge Project, scheduled for Thursday, March 24, 2016, in Selectmen's Meeting Room at 6:00pm. The public hearing is sponsored by Massachusetts Department of Transportation (MassDOT). Representatives from MassDOT will be present to provide information and to answer any questions about the bridge project.

Town Administrator Breault informed that Selectman Bunnell and he attended a regional municipal finance law roundtable last week. Selectman Bunnell explained that the roundtable was aimed at Town Administrators, Town Accountants, Finance Committees and Selectboards. The presentation was provided by a private Certified Public Accounting (CPA) firm. She commented that she has a higher level of respect for the quality of ways the Town operates because there were no suggestions offered at the roundtable that are not already in place in Wilbraham. She also mentioned that the second presentation was presented by the Deputy of the Massachusetts Department of Revenue's Division of Local Services, who spoke at length about legislation that will streamline municipal practices. She referred to it as the Community Compact bill. The legislation is a three hundred page document, currently being reviewed in the Legislature. The legislation will provide relief to towns and communities from outdated laws and practices. Selectman Bunnell mentioned that one of the changes being proposed is altering the procurement laws by lowering the fiscal thresholds for certain procurement practices. Town Administrator Breault revealed that the legislation also includes allowing communities to choose the number of liquor licenses to issue in the communities' own jurisdiction.

Board of Selectmen Updates

Selectman Bunnell announced that she attended her first meeting of the Massachusetts Municipal Association's Policy Committee on Energy and the Environment. She explained that the Committee helps to frame the legislative position of the MMA relative to energy and the environment.

Selectman Russell asked if the community would see any action at the landfill relative to the solar project. Town Administrator Breault responded that there is preparatory work being conducted at the landfill currently. The community will begin to see construction of the solar array at the landfill in May. Selectman Russell then asked about the status of the new police station project. Town Administrator Breault informed that the *Notice to Proceed* was issued to the General Contractor last week.

Citizens Open Forum

Chairman Boilard opened the meeting up to the Citizen Open Forum segment. No citizens offered to speak.

OLD BUSINESS

NEW BUSINESS

FY'17 Budget: Budget Recommendations

Town Administrator Breault asked if the Board would consider adopting the budget presented under the proposed Town Administrator and Board of Selectmen's budget. He also asked if the Board wanted to prioritize the additional requests or supplemental budgets. Chairman Boilard explained that the Selectmen never voted on the Town Administrator and Board of Selectmen's budget. He indicated that it was the Finance Committee who is charged to vote on the proposed budget. Chairman Boilard then addressed Town Administrator Breault's second question. He recommended that the Selectmen and Finance Committee prioritize the additional requests collectively. Town Administrator Breault asked for the Selectmen's prioritized list. Selectman Bunnell recommend a means

to provide that information to Town Administrator Breault by utilizing a document to rank the requests. Discussion ensued. Selectman Russell suggested that the Finance Committee prioritize the list and then send it to the Selectmen to comment.

Draft Annual Town Meeting Warrant

Town Administrator Breault informed that there are five proposed Articles for the Town Warrant that are not routine Articles. He reported that he had a preliminary discussion with the Town Moderator regarding an earlier placement of the Middle School Unification Article on the Town Warrant. The Selectmen discussed that the Hampden-Wilbraham Regional School District (HWRSD) budget would not change whether the Middle School Unification Article passes or not during the Town Meeting.

Chairman Boilard commented that the Bylaw Study Committee appears to have questions regarding proposed bylaw changes being prepared for the Town Warrant; however, the list does not appear to be solidified. The Selectmen indicated that they would like to see the revised Town Bylaws with the current Town Bylaws to review. It was mentioned that the proposed chicken and recall bylaws will not be offered as Articles or discussed at this year's Town Meeting.

Selectman Russell directed that any Article presenters be invited to the Pre-Town Meeting Discussion with the Selectmen that is typically scheduled at the Selectmen's Meeting prior to Town Meeting's date. He also suggested that the Town utilize the Blackboard Connect service to inform the community of the Annual Town Meeting and Election dates and times. Selectman Russell commented that one of the Selectmen should record the message that is issued by Blackboard Connect. Administrative Assistant Gaumond offered to coordinate this service. Selectman Bunnell mentioned that Blackboard Connect should be used more frequently to get information out to the residents.

Materials Referenced: Draft List of Proposed Warrant Articles for 2016 Town Meeting, dated March 14, 2016, submitted by N. Breault, Town Administrator.

Acceptance of Board of Selectmen 2015 Report

Chairman Boilard asked if the Selectmen read the report. Selectman Bunnell stated that she had not yet reviewed the document. For this reason, the matter was tabled until the next Selectmen's meeting.

Materials Referenced: Draft 2015 Selectmen's Report for the Annual Town Meeting submitted by C. O. Gaumond, Administrative Assistant to the Town Administrator and Board of Selectmen.

Sewer Abatements

Chairman Boilard asked if there were any questions or comments. No questions or comments were offered.

MOTION: Made (Bunnell) and seconded (Russell) to approve Sewer Abatements, totaling \$56.74, as listed in a memo, dated March 14, 2016, from E. Miga, Town Engineer/ Director of DPW. Approved 3-0.

Materials Referenced: Memo, dated March 14, 2016, from E. Miga, Jr., Town Engineer/Director of DPW, relative to a sewer abatement.

Approval of the Agreement between the Town of Wilbraham and Springfield Water and Sewer Commission

Chairman Boilard asked if there were any questions or comments. Selectman Russell inquired about the cost of the service. Discussion ensued.

MOTION: Made (Bunnell) and seconded (Russell) to approve the Agreement between the Town of Wilbraham and Springfield Water and Sewer Commission, from July 1, 2015 to June 30, 2021, relative to the disposal of Wilbraham's wastewater, aiding in the prevention or abatement of water pollution and other related matters as indicated in the Agreement. Approved 3-0.

Materials Referenced: Draft Agreement between the Town of Wilbraham and Springfield Water and Sewer Commission submitted by E. Miga, Jr., Town Engineer/Director of DPW.

LICENSING AND OTHER APPROVALS

MINUTES OF MEETINGS

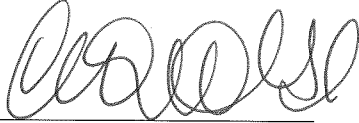
- ~~October 13, 2015 executive~~
- ~~November 5, 2015 executive~~
- ~~December 7, 2015 executive~~
- February 22, 2016
- ~~February 29, 2016~~
- February 29, 2016 executive
- March 7, 2016
- March 9, 2016

Chairman Boilard asked if there were any corrections, additions or edits to the minutes being presented. Hearing none, a motion was made.

MOTION: Made (Bunnell) and seconded (Russell) to approve the minutes of February 22, 2016 and March 9, 2016; and executive session minutes of February 29, 2016. Approved 3-0.

Materials Referenced: Draft minutes of February 22, 2016 and March 9, 2016; and draft executive session minutes of February 29, 2016.

Having no further business, the Board of Selectmen adjourned at 8:01pm.



Candace Ouillette Gaumond
Administrative Assistant to the TA/BOS



Robert J. Boilard, Chairman



Susan C. Bunnell, Vice Chairman



Robert W. Russell, Clerk